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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,932	02/02/2004	Roy Ritter	21488/04111	9586

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CLEVELAND, OH 44114

EXAMINER
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NGUYEN, CHI Q

ART UNIT	PAPER NUMBER
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3635

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/769,932	RITTER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chi Q. Nguyen	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 3,8 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This Office action is in response to the applicant's amendment filed 8/16/2007.

#### ***Status of Claims***

Claims 1-9 and newly filed claims 12-20 are pending and have been examined.

Claims 10-11 have been withdrawn.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 17-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 17, the phrase "may be" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Since claims 18-19 depending upon the rejected claim 17 are also rejected.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-2, 4-5, 7, 9, 13-16, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,019,678 to Takahashi.

Claim 1:

Takahashi discloses in Fig. 1 a screen system comprising a screen 19, a frame (no labeled but wherein 19 points to) supporting said screen, said frame including a hook 20, and a housing 8 for supporting said frame when said screen system is assembled, said housing defining a retainer 18 which interacts with said hook whereby upon rotation of said frame in a first direction said hook engages said retainer and upon rotation of said frame in a second direction said hook disengages said retainer allowing disassembly of said screen system (col. 4, lines 24-30 and 53-66).

Claim 2:

Wherein said hook 20 is integrally formed with said frame (see Fig. 1).

Claim 4:

Wherein said retainer is a depression within said housing (see Fig. 1).

Claims 5, 13-14, and 16:

Wherein said housing defines a seat 6 which supports said frame when said screen system is assembled, said seat defining an aperture or a gap 14 for the passage of said hook whereby during assembly of said screen system said hook passes through said aperture prior to rotation into engagement.

Claims 7 and 15:

Wherein said frame further comprises an engagement surface (no labeled but wherein 19 points to) for a digit of a user, allowing the frame to be easily rotated.

Claim 9:

Wherein said engagement surface is adjacent to said hook (see Fig. 1).

Claim 20:

Takahashi discloses a screen system in Fig. 1, which can be easily disassembled, comprising: a screen 19; a circular frame (no labeled but wherein 19 points to) supporting the screen; a housing 8 defining a generally circular aperture 16 and a seat 6 circumscribing the aperture, the seat adapted to engage the frame when the frame is assembled to the housing; and a means 20 for releasably attaching the frame to the housing, wherein said means secures the frame to the housing when the frame is rotated to a first position relative to the housing, and the means releases the frame from the housing when the frame is rotated to a second position relative to the housing (see col.4, lines 24-66).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No. 6,019,678 to Takahashi.

Claims 6, 17, and 19:

Takahashi discloses a screen system in Fig. 1 comprising a screen 19, a circular frame (no labeled but wherein 19 points to) supporting the screen, the frame having a

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first side and a second side, wherein the frame includes a hook 20 on a first side and a plurality of engagement surfaces on the second side, each of the plurality of engagement surfaces adapted to be engaged by a digit of a user; a housing 8 defining a generally circular aperture 2, the housing including a detent 18; a seat 6 circumscribing the aperture of the housing, the seat having a gap 14 around the circumference of the seat, each gap adapted to receive the hook; wherein, when assembled to the housing, the frame is rotatable between a first position and a second position relative to the housing, wherein in the first position the plurality of hooks engage the plurality of detents to secure the frame to the housing, and wherein in the second position the hooks are aligned with the gaps such that the frame may be separated from the housing. Takahashi discloses the invention as claimed except that the frame included more than one hooks and detents (four hooks and four detents- claim 19). However, this feature would have been a matter of obvious design choice to one of ordinary skill in the art at the time the invention was made to have more than one hooks and retainers for a better securement and thus preventing a device falling apart. Furthermore, applicant has not disclosed the criticality of this feature.

Claim 18:

Wherein the seat abuts the first side of the frame when the frame is assembled to the housing.

***Allowable Subject Matter***

Claims 3, 8, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments with respect to claims 1-2, 4-7, 9, and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

  
CQN

10/25/2007

/J. CHAPMAN/  
PRIMARY EXAMINER